

FILED: April 24, 2009

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-132
(08-35653-KRH)

BRIGHTON COMMERCIAL LLC; CAROUSEL CENTER COMPANY, L.P.; CEDAR DEVELOPMENT LTD.; DREXEL DELAWARE LIMITED PARTNERSHIP; FINGERLAKES CROSSING, LLC; GENERATION ONE AND TWO, LP; GRI-EQY (SPARKLEBERRY SQUARE) LLC; HAMILTON CROSSING I, LLC; INLAND AMERICAN RETAIL MANAGEMENT LLC; INLAND COMMERCIAL PROPERTY MANAGEMENT, INC.; INLAND CONTINENTAL PROPERTY MANAGEMENT CORP.; INLAND PACIFIC PROPERTY SERVICES LLC; INLAND SOUTHWEST MANAGEMENT LLC; INLAND US MANAGEMENT LLC; KIMCO REALTY CORPORATION; LA HABRA IMPERIAL, LLC; MADISON WALDORF LLC; MYRTLE BEACH FARMS COMPANY INCORPORATED; N. P. HUNTSVILLE LIMITED LIABILITY COMPANY; RANCON REALTY FUND IV; RREEF MANAGEMENT COMPANY; SANGERTOWN SQUARE, LLC; STARPOINT PROPERTY MANAGEMENT, LLC; THE MACERICH COMPANY; THE PORTLAND INVESTMENT COMPANY OF AMERICA; THE PRUDENTIAL INSURANCE COMPANY OF AMERICA; UNCOMMON, LTD.,

Petitioners

v.

CIRCUIT CITY STORES, INCORPORATED; CIRCUIT CITY STORES WEST COAST, INCORPORATED; INTERTAN, INC.; VENTOUX INTERNATIONAL, INC.; CIRCUIT CITY PURCHASING COMPANY, LLC; CC AVIATION, LLC; CC DISTRIBUTION COMPANY OF VIRGINIA, INC.; CIRCUIT CITY PROPERTIES, LLC; KINZER TECHNOLOGY, LLC; ABBOT ADVERTISING AGENCY, INC.; PATAPSCO DESIGNS, INC.; SKY VENTURE CORP.; PRAHS, INC.(N/A); XSSTUFF, LLC; MAYLAND MN, LLC; COURCHEVEL, LLC; ORBYX ELECTRONICS, LLC; CIRCUIT CITY STORES PR, LLC,

Respondents

O R D E R

Upon review of submissions relative to the petition for permission to appeal, the Court denies the petition.

Entered at the direction of Judge Shedd with the concurrence of Judge Niemeyer and Judge Duncan.

For the Court

/s/ Patricia S. Connor, Clerk